Chancery Order Book 25

No. 9682 Page 613

IN THE CIRCUIT COURT OF THE 12TH JUDICIAL CIRCUIT IN AND FOR DESOTO COUNTY, FLORIDA, IN CHANCERY

FRANKLIN W. DURGIN and CATHERINE DURGIN, *Plaintiffs*

v.

W. R. STOFFEL, ET AL., *Defendants*

Order

This cause came on this day to be heard upon the defendant's Motion to Dismiss, and all parties being present before the Court, and the Court having heard argument and being duly advised in the premises it is thereupon

ORDERED, ADJUDGED AND DECREED that the Bill of Complaint filed herein be and the same is hereby dismissed with right to amend.

DONE AND ORDERED in Chambers at Arcadia, Florida this the 7th day of April, A. D. 1960.

/s/ JOHN D. JUSTICE
Judge Circuit Court

IN THE DISTRICT COURT OF APPEAL OF FLORIDA
SECOND DISTRICT

July Term, A. D. 1960

Case No. 1867

Not Final Until Time Expires
To File Rehearing Petition and,
If Filed, Disposed of.

FRANKLIN W. DURGIN and CATHERINE DURGIN, *Appellants*,

v.

W. R. STOFFEL, LAVINIA STOFFEL and HAL R. STOFFEL,
Appellees.

Opinion Filed December 21, 1960

Appeal from the Circuit Court of DeSoto County: John D. Justice, Judge.

Franklin W. and Catherine Durgin,
in proper person.

Lewis E. Purvis, Arcadia, for appellee.

PER CURIAM.

Affirmed.

ALLEN, C. J. KANNER AND SHANNON, J. J., Concur.

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
IN AND FOR THE SECOND DISTRICT

January Term, A. D. 1961

Tuesday, January 17, 1961

Case No. 1867

FRANKLIN W. DURGIN and CATHERINE DURGIN, *Appellants*,

v.

W. R. STOFFEL, LAVINIA STOFFEL and HAL R. STOFFEL,
Appellees.

The Appellants having filed in this cause a Petition for Rehearing and the same having been considered by the Court, it is

ORDERED that the said Petition be and the same is hereby denied.

A True Copy
Test:

/s/ JOSEPH E. GILLEN
Clerk, District Court of Appeal
Second District

IN THE SUPREME COURT OF FLORIDA

January Term, A. D. 1961

Thursday, April 27, 1961

FRANKLIN W. DURGIN and CATHERINE DURGIN, *Petitioners*,

v.

W. R. STOFFEL, LAVINIA STOFFEL and HAL R. STOFFEL, *Respondents*.

This cause having heretofore been submitted to the Court on Petition for Writ of Certiorari upon the transcript of record and briefs to review the order of the District Court of Appeal of Florida, Second District, in said cause bearing date December 21, 1960 (petition for rehearing denied January 17, 1961), and the record having been inspected, it is ordered that said Petition be and the same is hereby denied.

A True Copy
Test:

/s/ GUYTE P. McCORD
Clerk Supreme Court.